

Appl. No. : 09/350,043  
Filed : July 8, 1999

### AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A transdermal delivery system comprising:  
an ethoxylated-lipid oil selected from the group consisting of ethoxylated castor oil, ethoxylated jojoba oil, ethoxylated corn oil, and ethoxylated emu oil;  
an alcohol mixed with the ethoxylated-lipid oil so as to form a penetration enhancer;  
an aqueous adjuvant mixed with the penetration enhancer, wherein the aqueous adjuvant comprises *Aloe Vera*; and  
a ~~delivery~~ delivered agent mixed with the aqueous adjuvant and the penetration enhancer.
2. (Currently Amended) The transdermal delivery system of Claim 1, wherein the ethoxylated-lipid oil has at least 20 ethoxylations per molecule.
3. (Currently Amended) The transdermal delivery system of Claim 1, wherein about 0.1% to 40.0% by weight or volume is ethoxylated-lipid oil.
4. (Original) The transdermal delivery system of Claim 1, wherein about 0.1% to 15% by weight or volume is alcohol.
5. (Previously Presented) The transdermal delivery system of Claim 1, wherein about 0.1% to 85% by weight or volume is *Aloe Vera*.
6. (Currently Amended) The transdermal delivery system of Claim 1, wherein the ratio of ethoxylated-lipid oil:alcohol:aqueous adjuvant is selected from the group consisting of 1:1:4, 1:1:14, 3:4:3, and 1:10:25.
7. (Currently Amended) The transdermal delivery system of Claim 1, wherein the ~~delivery~~ delivered agent is a molecule having a molecular weight of less than 6,000 daltons.
8. (Currently Amended) The transdermal delivery system of Claim 1, wherein the ~~delivery~~ delivered agent is a molecule having a molecular weight of greater than 6,000 daltons.
9. (Currently Amended) The transdermal delivery system of Claim 1, wherein the ~~delivery~~ delivered agent is selected from the group consisting of capsaicin, Boswellin, non steroidal anti-inflammatory drug, and collagen.
10. (Original) An apparatus comprising a vessel joined to an applicator and the transdermal delivery system of Claim 1 incorporated in the vessel.

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11. (Original) The apparatus of Claim 10, wherein the applicator is a roll-on or a sprayer.
12. (Currently Amended) A transdermal delivery system comprising:  
an ethoxylated oil selected from the group consisting of ethoxylated castor oil, ethoxylated jojoba oil, ethoxylated corn oil, and ethoxylated emu oil;  
an alcohol mixed with the ethoxylated oil so as to form a penetration enhancer;  
*Aloe Vera* mixed with the penetration enhancer; and  
a therapeutically effective amount of capsaicin or NSAID or both mixed with the penetration enhancer and *Aloe Vera*.
13. (Currently Amended) The transdermal delivery system of Claim 12, wherein the therapeutically effective amount of capsaicin is by weight or volume 0.01% to 5.0% ~~capsaicin or 1.0% to 13% oleoresin capsicum~~.
14. (Original) The transdermal delivery system of Claim 12, further comprising by weight or volume 0.1% to 10% Boswellin.
15. (Original) An apparatus comprising a vessel joined to an applicator and the transdermal delivery system of Claim 12 incorporated in the vessel.
16. (Original) The apparatus of Claim 15, wherein the applicator is a roll-on or a sprayer.
17. Cancelled.
18. Cancelled.
19. (Currently Amended) A transdermal delivery system comprising:  
an ethoxylated oil selected from the group consisting of ethoxylated castor oil, ethoxylated jojoba oil, ethoxylated corn oil, and ethoxylated emu oil;  
an alcohol mixed with the ethoxylated oil so as to form a penetration enhancer;  
an aqueous adjuvant mixed with the penetration enhancer, wherein the aqueous adjuvant comprises *Aloe Vera*; and  
a therapeutically effective amount of a ~~delivery~~ delivered agent of less than or equal to 2,000,000 daltons ~~having a molecular weight of more than 2,000 daltons~~ mixed with the penetration enhancer and aqueous adjuvant.
20. Cancelled.

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21. (Currently Amended) The transdermal delivery system of Claim 19, wherein the delivery delivered agent is a collagen or fragment thereof.

22. (Previously Presented) The transdermal delivery system of Claim 21, wherein the collagen has an approximate average molecular weight from about 2,000 daltons to about 500,000 daltons.

23. (Previously Presented) The transdermal delivery system of Claim 21, wherein the therapeutically effective amount of collagen by weight or volume is 0.1% to 50.0%.

24. (Previously Presented) The transdermal delivery system of Claim 21, wherein the collagen has an approximate average molecular weight of about 2,000 daltons and the therapeutically effective amount by weight or volume is 0.1% to 50.0%.

25. (Previously Presented) The transdermal delivery system of Claim 21, wherein the collagen has an approximate average molecular weight of about 300,000 daltons and the therapeutically effective amount is 0.1% to 2.0%.

26. (Previously Presented) The transdermal delivery system of Claim 21, wherein the collagen has an approximate average molecular weight of about 500,000 daltons and the therapeutically effective amount by weight or volume is 0.1% to 4.0%.

27. (Original) An apparatus comprising a vessel joined to an applicator and the transdermal delivery system of Claim 19 incorporated in the vessel.

28. (Original) The apparatus of Claim 27, wherein the applicator is a roll-on or a sprayer.

29. Cancelled.

30. (Currently Amended) A method of making a transdermal delivery system comprising:

providing an ethoxylated oil selected from the group consisting of ethoxylated castor oil, ethoxylated jojoba oil, ethoxylated corn oil, and ethoxylated emu oil;

mixing the ethoxylated oil with an alcohol, nonionic solubilizer, or emulsifier so as to form a penetration enhancer;

mixing the penetration enhancer with an aqueous adjuvant, wherein the aqueous adjuvant comprises *Aloe Vera*; and

mixing the penetration enhancer and aqueous adjuvant with a delivery delivered agent and thereby making the transdermal delivery system.

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31. (Currently Amended) The method of Claim 30, wherein the ~~delivery~~ delivered agent is selected from the group consisting of capsaicin, Boswellin, non steroidal anti-inflammatory drug, and collagen.

32. (Currently Amended) The method of Claim 30, wherein the ~~delivery~~ delivered agent is less than or equal to 2,000,000 daltons ~~has a molecular weight greater than 2,000 daltons~~.

33. (Original) The method of Claim 30, further comprising incorporating the transdermal delivery system into an application device.

34. (Original) The method of Claim 33, wherein the application device has a roll-on applicator or a sprayer.

35. (Previously Presented) The transdermal delivery system of Claim 1, wherein the ~~delivery~~ delivered agent is a non steroidal anti-inflammatory drug.

36. (Previously Presented) The transdermal delivery system of Claim 35, wherein the non steroidal anti-inflammatory drug is selected from the group consisting of naproxin, ibuprofen, and aspirin.

37. (Previously Presented) The transdermal delivery system of Claim 35, wherein the non steroidal anti-inflammatory drug is aspirin.

38. (Currently Amended) The transdermal delivery system of Claim 1, wherein the ethoxylated ~~lipid oil~~ is ethoxylated castor oil.

39. (Currently Amended) The transdermal delivery system of Claim 1, wherein the ethoxylated ~~lipid oil~~ is ethoxylated jojoba oil.

40. (Currently Amended) The transdermal delivery system of Claim 1, wherein the ethoxylated ~~lipid oil~~ is ethoxylated corn oil.

41. (Currently Amended) The transdermal delivery system of Claim 1, wherein the ethoxylated ~~lipid oil~~ is ethoxylated emu oil.

42. Canceled.

43. Canceled.

44. Canceled.

45. Canceled.

46. Canceled.

47. Canceled.

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48. Canceled.
49. Canceled.
50. (Currently Amended) The method of Claim 30, wherein the ethoxylated oil is ethoxylated castor oil.
51. (Currently Amended) The method of Claim 30, wherein the ethoxylated oil is ethoxylated jojoba oil.
52. (Currently Amended) The method of Claim 30, wherein the ethoxylated oil is ethoxylated corn oil.
53. (Currently Amended) The method of Claim 30, wherein the ethoxylated oil is ethoxylated emu oil.
54. (New) The composition of Claim 1, wherein the delivered agent is less than or equal to 2,000,000 daltons.
55. (New) The composition of Claim 1, wherein the delivered agent is less than or equal to 1,500,000 daltons.
56. (New) The composition of Claim 1, wherein the delivered agent is less than or equal to 1,000,000 daltons.
57. (New) The composition of Claim 1, wherein the delivered agent is less than or equal to 700,000 daltons.
58. (New) The composition of Claim 1, wherein the delivered agent is less than or equal to 500,000 daltons.
59. (New) The composition of Claim 1, wherein the delivered agent is less than or equal to 300,000 daltons.
60. (New) The composition of Claim 1, wherein the delivered agent is less than or equal to 200,000 daltons.
61. (New) The composition of Claim 1, wherein the delivered agent is less than or equal to 100,000 daltons.
62. (New) The composition of Claim 1, wherein the delivered agent is less than or equal to 75,000 daltons.
63. (New) The composition of Claim 1, wherein the delivered agent is less than or equal to 50,000 daltons.

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64. (New) The composition of Claim 1, wherein the delivered agent is less than or equal to 25,000 daltons.

65. (New) The composition of Claim 1, wherein the delivered agent is less than or equal to 20,000 daltons.

66. (New) The composition of Claim 1, wherein the delivered agent is less than or equal to 15,000 daltons.

67. (New) The composition of Claim 1, wherein the delivered agent is less than or equal to 10,000 daltons.

68. (New) The composition of Claim 1, wherein the delivered agent is less than or equal to 5,000 daltons.

69. (New) The composition of Claim 1, wherein the delivered agent is less than or equal to 2,500 daltons.

70. (New) The composition of Claim 1, wherein the delivered agent is less than or equal to 1,000 daltons.

71. (New) The composition of Claim 19, wherein the delivered agent is less than or equal to 1,500,000 daltons.

72. (New) The composition of Claim 19, wherein the delivered agent is less than or equal to 1,000,000 daltons.

73. (New) The composition of Claim 19, wherein the delivered agent is less than or equal to 700,000 daltons.

74. (New) The composition of Claim 19, wherein the delivered agent is less than or equal to 500,000 daltons.

75. (New) The composition of Claim 19, wherein the delivered agent is less than or equal to 300,000 daltons.

76. (New) The composition of Claim 19, wherein the delivered agent is less than or equal to 200,000 daltons.

77. (New) The composition of Claim 19, wherein the delivered agent is less than or equal to 100,000 daltons.

78. (New) The composition of Claim 19, wherein the delivered agent is less than or equal to 75,000 daltons.

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79. (New) The composition of Claim 19, wherein the delivered agent is less than or equal to 50,000 daltons.

80. (New) The composition of Claim 19, wherein the delivered agent is less than or equal to 25,000 daltons.

81. (New) The composition of Claim 19, wherein the delivered agent is less than or equal to 20,000 daltons.

82. (New) The composition of Claim 19, wherein the delivered agent is less than or equal to 15,000 daltons.

83. (New) The composition of Claim 19, wherein the delivered agent is less than or equal to 10,000 daltons.

84. (New) The composition of Claim 19, wherein the delivered agent is less than or equal to 5,000 daltons.

85. (New) The composition of Claim 19, wherein the delivered agent is less than or equal to 2,500 daltons.

86. (New) The composition of Claim 19, wherein the delivered agent is less than or equal to 1,000 daltons.

87. (New) The method of Claim 30, wherein the delivered agent is less than or equal to 1,500,000 daltons.

88. (New) The method of Claim 30, wherein the delivered agent is less than or equal to 1,000,000 daltons.

89. (New) The method of Claim 30, wherein the delivered agent is less than or equal to 700,000 daltons.

90. (New) The method of Claim 30, wherein the delivered agent is less than or equal to 500,000 daltons.

91. (New) The method of Claim 30, wherein the delivered agent is less than or equal to 300,000 daltons.

92. (New) The method of Claim 30, wherein the delivered agent is less than or equal to 200,000 daltons.

93. (New) The method of Claim 30, wherein the delivered agent is less than or equal to 100,000 daltons.

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94. (New) The method of Claim 30, wherein the delivered agent is less than or equal to 75,000 daltons.

95. (New) The method of Claim 30, wherein the delivered agent is less than or equal to 50,000 daltons.

96. (New) The method of Claim 30, wherein the delivered agent is less than or equal to 25,000 daltons.

97. (New) The method of Claim 30, wherein the delivered agent is less than or equal to 20,000 daltons.

98. (New) The method of Claim 30, wherein the delivered agent is less than or equal to 15,000 daltons.

99. (New) The method of Claim 30, wherein the delivered agent is less than or equal to 10,000 daltons.

100. (New) The method of Claim 30, wherein the delivered agent is less than or equal to 5,000 daltons.

101. (New) The method of Claim 30, wherein the delivered agent is less than or equal to 2,500 daltons.

102. (New) The method of Claim 30, wherein the delivered agent is less than or equal to 1,000 daltons.